

Notice is hereby given that Luton Borough Council in exercise of its powers under Section 59, 60, 64 and 72 of the Antisocial Behaviour, Crime and Policing Act 2014 ("the Act") hereby makes the following Order extending the 2017 Order under section 60 of the Act:-

## **Luton Borough Council**

### **Mussons Path Public Spaces Protection Order**

#### **1 of 2017 (as extended 25<sup>th</sup> May 2020)**

1. The Extended Order shall come into operation on 25<sup>th</sup> May 2020 and shall have effect for a period of 3 years thereafter, unless extended by further orders under Luton Borough Council's (hereafter 'the Council') statutory powers.
2. The Order relates to 2 sections of Mussons Path in Luton as shown on the attached plan.
3. The public right of way over the highways shown in the attached plan shall be restricted at all times except for those persons listed below.
  - a) Owners or occupiers of premises adjacent to or adjoining the highway affected by this order and who have been provided with a key by the Council.
  - b) Fire brigade, police or NHS Trust/Foundation staff when in the exercise of their duties.
  - c) Employees, contractors or agents of statutory undertakers in relation to gas, electricity or water or telecommunications apparatus as defined in the Telecommunications Act 1994 situated in the relevant highway in connection with the laying, erecting, inspection, maintenance, alteration, repair, renewal or removal of any relevant apparatus.
  - d) Council staff and authorised contractors when in the exercise of their duties.
  - e) Persons using the highway with the permission of on the direction of a duly authorised Council Officer in this regard.

4. The order authorises the installation of gates which will enforce the access restriction.
5. Responsibility for the maintenance of the fencing at the location will lie with the Council and the details of the responsible department are: Building and Technical Services – 08000 147 333. The gates are to be locked and unlocked by key holders.
6. Any person, other than those persons listed in Paragraph 3 above, who is found entering the highway detailed in the attached plan will be in breach of the order and liable to a fine or penalty as detailed in section 10 below.
7. The Council is satisfied that the conditions set out in Sections 59, 60, 64 and 72 of the Act have been met, and that it is, in all the circumstances, expedient to extend the 2017 order. The extended order is required to reduce the detrimental effect of crime and anti-social behaviour in the Restricted Area, which has had a detrimental effect on the quality of life of those in the locality and to reduce the risk of this reoccurring. The effect or likely effect of the anti-social behaviour and crime in the Restricted Area is of a persistent or continuing nature such as to make it unreasonable, and justifies the restrictions imposed by this Order.
8. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within 6 weeks from the date on which this Order is made.
9. A person is guilty of an offence under section 67 of the Act if they breach the restrictions of this public spaces protection order by entering the area referred to above. A person guilty of an offence under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

10. A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to a public spaces protection order by entering the area referred to above.

Where a person is issued with a notice under this section in respect of an offence—

- a) An amount specified under subsection (5)(c) is £100 payable to Luton Borough Council.
- b) No proceedings may be taken for the offence before the end of the period of 14 days following the date of the notice.
- c) The person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.
- d) If the fixed penalty is not paid before the end of the period referred to above they may be prosecuted as referred to in paragraph 9 above.

A copy of the Order and map may be obtained by contacting Community Safety on 07864 942 193 or email [LutonCommunitySafetyPartnership@luton.gov.uk](mailto:LutonCommunitySafetyPartnership@luton.gov.uk) Alternatively, the Order can be seen at [www.luton.gov.uk](http://www.luton.gov.uk)



A handwritten signature in black ink.

Authorised Signatory

A handwritten signature in black ink.

Authorised Signatory

MIN. REF.	DEL POWERS
REG. NO.	6246
UNIT	RC




# Mussons Path Public Spaces Protection Order



Date: 13 : 09 : 2016  
Scale = 1:500 @ A4

**Legend**

-  Location of Fencing

